

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with the applicants' attorney Ms. Julie H. Richardson on 9/17/2009.

The application has been amended as follows:

#### **IN THE CLAIMS:**

Claim 14, line 11, "adjusting the non-linear input signal to apply a" has been deleted and --applying the-- has been inserted.

Claim 24, line 9, "energy" has been deleted; line 10, "the" second occurrence, has been deleted; line 10, "the" third occurrence, has been deleted and --a-- has been inserted; line 11, "energy" has been deleted and --vibration-- has been inserted.

Claim 72, line 6, "generated" has been deleted.

Claim 73, line 2, "the" has been deleted and --a-- has been inserted; line 4, after "where", --said-- has been inserted; line 5, "the parameter" has been deleted and --said-- has been inserted.

Claim 74, lines 1-2, "the weighted summed frequency components is multiplied by a mathematical" has been deleted and --said  $x_f2$ ,  $x_f3$ ,  $x_f4$ , ... $x_{fn}$  is multiplied by a-- has been inserted.

Claim 75 has been cancelled.

***Allowable Subject Matter***

2. Claims 5,14,24,63-65,72-74 are allowed.

***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Crowder et al. 7,428,446 discloses other type of method of dispensing dry powder.
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frederick C. Nicolas whose telephone number is (571)-272-4931. The examiner can normally be reached on Monday - Friday from 9:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kevin P. Shaver, can be reached on 571-272-4720. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Frederick C. Nicolas/  
Primary Examiner, Art Unit 3754

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